

COMMONWEALTH OF KENTUCKY
____ JUDICIAL CIRCUIT
____ CIRCUIT COURT
INDICTMENT NO. ____ -CR- ____

COMMONWEALTH OF KENTUCKY

PLAINTIFF

V.

DEFENDANT

MOTION TO TAKE AND USE VIDEO DEPOSITION³

The Commonwealth, pursuant to RCr 7.10(1), requests an Order authorizing the taking of the deposition of [Victim] for use in the trial of this case. The Commonwealth would show that due to the exceptional circumstances of the case it is in the interest of justice that the testimony of this witness be taken and preserved for use at trial. Counsel for the Commonwealth has interviewed the witness whose affidavit is attached hereto as Exhibit A. Said [Victim], as [his/her] affidavit relates, is the victim in the present case. Further, the Commonwealth would show that due to [state facts] said witness may be unavailable at trial as more particularly set forth in the affidavit of [medical doctor] attached hereto as Exhibit B.

Based on the foregoing the Commonwealth would move for an Order allowing the deposition of said witness under such conditions as the Court deems fit and proper.

Respectfully submitted,

(Name)
(Address)
Counsel for the Commonwealth

³ KYPRAC-CRP § 23:61; 23:62.